

CR15-00707-PHX-SRB AMBER PLUFF 2-23-16

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF ARIZONA

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United States of America, )  
                            )  
Plaintiff,               ) CR15-00707-PHX-SRB  
vs.                        ) Phoenix, Arizona  
                            ) February 23, 2016  
Abdul Malik Abdul Kareem, )  
                            )  
Defendant.               )  
                            )  
                            )

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BEFORE: THE HONORABLE SUSAN R. BOLTON, JUDGE  
EXCERPT OF REPORTER'S TRANSCRIPT OF PROCEEDINGS  
JURY TRIAL - DAY #5  
TESTIMONY: AMBER PLUFF

**APPEARANCES:**

**For the Government:**

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**For the Defendant Abdul Malik Abdul Kareem:**

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Proceedings Reported by Stenographic Court Reporter  
Transcript Prepared by Computer-Aided Transcription

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1                   **E X C E R P T   O F   P R O C E E D I N G S**2                   THE CLERK: Please state your name for the record and  
3                   spell your last name.

4                   THE WITNESS: Amber Pluff. P-L-U-F-F.

5                   THE COURT: You may proceed, Mr. Koehler.

6                   **AMBER PLUFF, WITNESS, SWORN**7                   **DIRECT EXAMINATION**

8                   BY MR. KOEHLER:

9                   Q     Good morning, Ms. Pluff. Could you please introduce  
10                  yourself to the jury.

11                  A     Amber Pluff.

12                  Q     And how old are you?

13                  A     Twenty.

14                  Q     Did you used to date a person by the name of Stefan  
15                  Verdugo?

16                  A     Yes.

17                  Q     At some point --

18                         When did you first start dating him, first off?

19                  A     The beginning of March.

20                  Q     Of what year.

21                  A     Of 2015.

22                  Q     So March of last year.

23                         And at some point while dating him, did you come to  
24                  meet somebody that you knew as D?

25                  A     Yes.

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1 Q And how did you meet D?

2 A It was at the beginning of our relationship, mine and  
3 Stefan's relationship. We were on our way to a bus stop and D  
4 was driving by. And he had stopped because Stefan had called  
5 for him and that's how I met him.

6 Q Okay. Could you please pull the microphone just a little  
7 bit closer to yourself?

8 A Sorry.

9 Q You can actually move the microphone, I think. Yes. That  
10 might help a little bit.

11           Okay. And so you said Stefan called out to him.

12           What happened then?

13 A He had pulled over into the parking lot and stopped and me  
14 and Stefan got into the car.

15 Q Okay. And where were you and Stefan going?

16 A We were going to our friend's house.

17 Q What was your friend's name?

18 A Nick Loving.

19 Q During the ride in the vehicle, did Stefan and D talk?

20 A Yes.

21 Q Did you pay any attention to their conversation?

22 A Not at all.

23 Q Did you notice whether anything was playing on the radio  
24 in the car?

25 A No.

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1 Q Where were you seated in the car?

2 A Behind the passenger's seat.

3 Q And what were you doing?

4 A Staring out the window.

5 Q Okay. Were you listening at all?

6 A No.

7 Q Did you hear any conversation between them, any specifics  
8 of anything they said?

9 A No.

10 Q Did you hear him talk about religion or anything else in  
11 the vehicle?

12 A No.

13 Q On times that you met D, what was his attitude like toward  
14 you?

15 A Like I didn't exist.

16 Q Did he ever greet you?

17 A No.

18 Q Shake your hand?

19 A Nope.

20 Q Did there come a time in which you learned of a shooting  
21 that happened in Garland, Texas, involving a contest?

22 A Yes.

23 Q Do you remember where you were when that happened?

24 A At the Budget Suites on 27th Avenue and Yorkshire.

25 Q Were you with Stefan Verdugo at that time?

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1 A Yes.

2 Q And was he watching the news or how did you learn of this?

3 A He was watching the news and he had called me over because  
4 he had seen it, so.

5 Q What was his demeanor like at that point?

6 A Like in angry excitement, like he was upset.

7 Q Okay. And did he say something to you at that point?

8 MR. MAYNARD: Objection. Hearsay.

9 THE COURT: Sustained.

10 MR. KOEHLER: Your Honor, it's an excited utterance.

11 THE COURT: Apparently, not. She said he called her  
12 over to look at something that he had already seen.

13 BY MR. KOEHLER:

14 Q Was the thing still playing at the time?

15 A Yes.

16 Q And was he still in a state of excitement?

17 A Yes.

18 Q Did he tell you what he was going to do at that point in  
19 time?

20 MR. MAYNARD: Objection. Hearsay.

21 THE COURT: Sustained.

22 BY MR. KOEHLER:

23 Q Did you overhear him make a phone call after that?

24 MR. MAYNARD: Objection. Hearsay.

25 THE COURT: This calls for a yes-or-no answer. You

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1 may answer, but just "yes" or "no."

2 Did you hear him make a phone call?

3 THE WITNESS: Yes.

4 BY MR. KOEHLER:

5 Q Prior to making the phone call, what did you do?

6 A I'm sorry?

7 Q Prior to the phone call taking place, what did you do?

8 A I Googled the FBI's number for him.

9 Q The next day, did he have a meeting with law enforcement?

10 A Yes.

11 Q Which agency did he meet with first?

12 A ATF.

13 Q Do you know why that meeting took place?

14 A Me and him had been encountered with a driveby shooting  
15 when we first started dating.

16 Q And did he later on speak to the FBI after that?

17 A Yes.

18 Q Were you also present for that?

19 A Yes.

20 Q After the Garland shooting, did you happen to see D  
21 driving around the neighborhood?

22 A Yes.

23 Q Did you see him also around the neighborhood before the  
24 Garland shooting?

25 A Yes.

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1 Q Did you see him greet D -- or excuse me -- greet Stefan  
2 during that time?

3 A Yes.

4 Q Did he have a typical way of breaking off his  
5 conversations with Stefan?

6 A Yes.

7 Q And were you able to observe that over the course of time?

8 A Yes.

9 Q And what was that way of breaking off the conversation?

10 A He always seemed paranoid and said that he had to go  
11 because the feds were listening.

12 MR. KOEHLER: No further questions.

13 THE COURT: Mr. Maynard.

14 **CROSS EXAMINATION**

15 BY MR. MAYNARD:

16 Q Good morning, Ms. Pluff.

17 You're currently living in California?

18 A Yes.

19 Q Okay. I believe you just testified that when you first  
20 met Stefan Verdugo was around the first of March of 2015?

21 A Yes.

22 Q And where was he living the 1st of March of 2015?

23 A Nick Loving's house.

24 Q Did you have an understanding of how long he had been  
25 living with Mr. Loving before you met him?

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1 A I believe so, yeah.

2 Q And how long was that?

3 A I think about three months.

4 Q And so that would have been somewhere back around the  
5 first of the year he had moved in with Mr. Loving?

6 A I believe so, yes.

7 Q Okay. And did you move in with Mr. Verdugo at that time?

8 A No. It was --

9 Q A couple weeks later?

10 A Yeah, when we started dating, like three or four weeks  
11 after that.

12 Q Okay. And this -- you're standing at a bus stop with  
13 Mr. Verdugo and he sees -- you knew him as D; is that correct?

14 A Yes. Yes.

15 Q You have to say --

16 A Yes.

17 Q Okay. And D is the individual that is sitting over here  
18 in the blue shirt?

19 A Yes.

20 Q Okay. And Mr. Verdugo waved him down. He stopped. And  
21 you got into the car with Mr. Verdugo?

22 A Yes.

23 Q Okay. Mr. Verdugo is sitting in the passenger's seat.  
24 You're sitting in the back seat right behind him?

25 A Yes.

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1 Q Okay. And you're going to Nick Loving's house?

2 A Yes.

3 Q Okay. You said the radio wasn't playing, but there was  
4 conversation going on between those two, correct?

5 Didn't you hear conversation about how's the business  
6 going? Git-r Done. The moving company. Things of that  
7 nature?

8 A I have heard of the business, but I haven't -- I don't  
9 recall the actual conversation that they had that day.

10 Q I understand you don't recall the conversation, but it  
11 wasn't like they were speaking in hushed tones so that you  
12 couldn't hear. You just weren't paying a lot of attention to  
13 it?

14 A Yeah.

15 Q Okay. But you did hear some casual conversation going on  
16 between the two about how are you doing, how have you been,  
17 that kind of thing?

18 A Yes.

19 Q Okay. And did they talk about the move -- D or  
20 Mr. Malik's moving company?

21 A I don't doubt that they did.

22 Q Okay. What you don't remember is them talking about any  
23 religion or things of that nature, correct?

24 A No.

25 Q What you overheard was just basically idle chitchat

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1 between two people who knew each other?

2 A Yes.

3 Q Okay. So it's not that you didn't hear anything. It's  
4 just that you didn't hear anything of any substance?

5 A Yes.

6 Q Okay. Now, you dated Mr. Verdugo for several months,  
7 correct?

8 A Yes.

9 Q All right. And at the time that Mr. Verdugo saw this news  
10 story, where were you living?

11 A The Budget Suites on 27th Avenue and Yorkshire.

12 Q And how long had you been staying there?

13 A I believe a little over three weeks.

14 Q Okay. During that time period what was Mr. Verdugo doing  
15 for money?

16 MR. KOEHLER: Objection. Relevance.

17 THE COURT: Overruled. You may answer.

18 THE WITNESS: Odds-and-ends jobs on Craigslist.

19 BY MR. MAYNARD:

20 Q Were there any other things that he was doing for money?  
21 How was he making money?

22 MR. KOEHLER: I continue the objection, Your Honor.  
23 Asked and answered.

24 THE COURT: Overruled. You may answer.

25 THE WITNESS: He was having me sleep with men for

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1 money.

2 BY MR. MAYNARD:

3 Q You understand that there are current charges pending  
4 against Mr. Verdugo?

5 A Yes.

6 Q And you are the individual that was the victim in these  
7 charges?

8 A Yes.

9 Q Okay. Is it fair to say at that time that Mr. Verdugo was  
10 having money problems?

11 A Yes.

12 Q And that was one of the reasons why he was having you  
13 perform those acts, correct?

14 A Yes.

15 Q Okay. Did you get the money or did he get the money?

16 THE COURT: I think we've explored this issue enough,  
17 Mr. Maynard.

18 MR. MAYNARD: I understand.

19 BY MR. MAYNARD:

20 Q Are you okay? I think there's water in front of you if  
21 you want some.

22 After you stopped living at the Budget Suites, do you  
23 know where Mr. Verdugo went?

24 A He fled to California.

25 Q Does Mr. Verdugo have any tattoos on his body?

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1 A Several.

2 Q Can you tell the jury what they are?

3 MR. KOEHLER: Objection. Relevance.

4 THE COURT: Sustained.

5 BY MR. MAYNARD:

6 Q Just a moment, Your Honor.

7 Did you at some point become aware whether  
8 Mr. Verdugo had lived with D?

9 A Yes.

10 Q Okay. And where do you recall that being?

11 A Off of 17th Avenue and Peoria on Cochise.

12 Q Did Mr. Verdugo have any friends that you visited that  
13 lived in that area?

14 A Yes.

15 Q And where did they live?

16 A Right across the street.

17 Q And do you recall who they were?

18 A I recall one of his friends. His name was Lupe.

19 MR. MAYNARD: I don't have any further questions,  
20 Judge. Thank you.

21 THE COURT: Mr. Koehler, do you have any questions on  
22 redirect?

23 **REDIRECT EXAMINATION**

24 BY MR. KOEHLER:

25 Q At the time that the phone calls happened in the meetings

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1 with ATF and FBI, had Stefan yet been arrested?

2 A No.

3 Q When you talked to him, did you learn how long he had  
4 known D?

5 A Yes.

6 Q How long had he known D?

7 MR. MAYNARD: Objection. Hearsay.

8 THE COURT: Sustained.

9 BY MR. KOEHLER:

10 Q When you were in the vehicle with him and D, when did you  
11 overhear the idle chitchat?

12 A When we first got in the car.

13 Q And did you listen to the conversation any further after  
14 that point?

15 A No.

16 MR. KOEHLER: Thank you. No further questions.

17 THE COURT: May this witness be excused, Mr. Koehler?

18 MR. KOEHLER: Yes, Your Honor.

19 THE COURT: Is there any objection.

20 MR. MAYNARD: No, Your Honor.

21 THE COURT: Thank you, Ms. Pluff. You may step down  
22 and you are excused as a witness.

23 The government may call its next witness.

24 (End of Excerpt of Proceedings.)

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1  
2 C E R T I F I C A T E  
34 I, ELIZABETH A. LEMKE, do hereby certify that I am  
5 duly appointed and qualified to act as Official Court Reporter  
6 for the United States District Court for the District of  
7 Arizona.8 I FURTHER CERTIFY that the foregoing pages constitute  
9 a full, true, and accurate transcript of all of that portion  
10 of the proceedings contained herein, had in the above-entitled  
11 cause on the date specified therein, and that said transcript  
12 was prepared under my direction and control.13 DATED at Phoenix, Arizona, this 3rd day of March,  
14 2016.15  
16  
17  
18  
19 s/Elizabeth A. Lemke  
20 ELIZABETH A. LEMKE, RDR, CRR, CPE  
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